

**REGULAR SESSION OF THE
BRIGHAM CITY COUNCIL
APRIL 15, 2010**

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| PRESENT: | Dennis Fife | Mayor |
| | Bruce Christensen | Councilmember |
| | Scott Ericson | Councilmember |
| | Ruth Jensen | Councilmember |
| | Bob Marabella | Councilmember |
| | Tyler Vincent | Councilmember |
| ALSO PRESENT: | Rick Bosworth | Human Resource Coordinator |
| | Ben Boyce | Leisure Services Director |
| | Jim Buchanan | Emergency Services Director |
| | Dave Burnett | Public Power Director |
| | Blake Foncesbeck | Public Works Director |
| | Nancy Jo Green | Senior Center Director |
| | Sue Hill | City Librarian |
| | Jared Johnson | Community Development Manager |
| | Paul Larsen | Economic Development Director |
| | Bruce Leonard | City Administrator |
| | Mike Nelsen | Police Lieutenant |
| | Art Peterson | Fire Chief |
| | Tyler Pugsley | Public Works Assistant Director |
| | Jason Roberts | Finance Director/Deputy City Recorder |
| | Paul Tittensor | Chief of Police |
| | Dennis Vincent | Police Lieutenant |
| EXCUSED: | Mary Kate Christensen | City Recorder |

Mayor Fife called the meeting to order. The Reverence Period was given by Pastor Mike Galica of the Holy Cross Lutheran Church. The scouts in the audience led the Pledge of Allegiance. A motion to approve the minutes of April 1, 2010 Council Meeting was made by Councilmember Ericson. The motion was seconded and carried.

**PUBLIC COMMENT
CONSENT**

Request for Donation of Compost and Bark for Community Garden

PUBLIC HEARING

Second Public Hearing on Community Development Block Grant for \$100,000 for the Box Elder Community Food Pantry

SCHEDULED DELEGATION

Declaration for Box Elder Toastmasters Club
Donation of an Awning for the Police Range (*tabled*)
Report from Bicycling Task Force
Proclamation Declaring April 30 Arbor Day
Request to Waive Impact Fees for Maple Springs Development
Child Abuse Awareness Month

NEW BUSINESS

Community and Economic Development Project Report (*tabled*)

UNFINISHED BUSINESS

Proposal for Employee Use of City-Owned Facility

MAKING LIFE BETTER - DEPARTMENT REPORTS

OTHER BUSINESS

PUBLIC COMMENT

There were no comments from the public.

CONSENT

Request for Donation of Compost and Bark for Community Garden

Linda Hansen and Lori Hunsaker, representing the Community Garden, requested the City donate up to 15 cubic yards of compost and up to 5 cubic yards of wood chips.

MOTION: A motion to approve the Consent Agenda was made by Councilmember Jensen, seconded by Councilmember Christensen and unanimously carried.

PUBLIC HEARING

Second Public Hearing on Community Development Block Grant for \$100,000 for the Box Elder Community Food Pantry

Mr. Bosworth explained that the City has sponsored the Box Elder Community Food Pantry for a grant which they applied for last fall in the amount of \$100,000. In order to move forward, a second public hearing has to be held. The \$100,000 will be for additional storage and to construct an enclosure for the refrigeration units and the lunch room. They will also separate the gas and water meters so they and the Boys and Girls Club have their own meter.

A motion to open the public hearing was made by Councilmember Jensen, seconded by Councilmember Marabella and unanimously carried. There were no comments from the public. A motion to close the public hearing was made by Councilmember Christensen, seconded by Councilmember Ericson and carried unanimously.

SCHEDULED DELEGATION

Declaration for Box Elder Toastmasters Club

Mr. Dick Carr and Ms. Peggy Carr came forward. Ms. Carr explained that Toastmasters International is a worldwide non-profit organization of over 12,500 people in more than 106 countries, one of which is in Brigham City. May 1 will be the Toastmasters 50th anniversary. It is an organization that provides training in a safe, friendly and supportive environment for communication and leadership. She requested the Council approve the proclamation declaring May Box Elder Toastmasters Month. She invited the Mayor and Council to attend their celebration on May 1 at 7:00 at the Emergency Services Building.

MOTION: Councilmember Ericson made a motion to authorize the Mayor to sign the declaration to declare May as Box Elder Toastmasters Month. The motion was seconded by Councilmember Jensen and unanimously carried.

Donation of an Awning for the Police Range

Representatives from Nucor were not in attendance to discuss this item.

Report from Bicycling Task Force

Mr. Jack Leavitt, Chair of the Bicycling Task Force, stated that in communities across the world there is a growing need and responsibility to provide options that give people the opportunity to bicycle, to bicycle more places and to feel safe while doing so. The benefits of riding a bicycle are numerous. It improves the environment and personal health, reduces traffic congestion, enhances quality of life and economic rewards. There are an ever increasing number of people involved in bicycling, however, there is a decrease in bike-automobile accidents. This is probably due to communities promoting awareness and safety.

The Task Force proposed concentrating on three areas: awareness, training and bike lanes.

Awareness - There are a few slogans that are already recognizable, such as "Share the Road." The Task Force came up with "Ride Along Side." The Tour-de-Cure will be held in Brigham City on June 12. It is expected there will be over 1400 riders. The Task Force would like to put a flier in the City's bills for this event.

Mr. Gary Dixon reported that the City's Sights and Sounds of Summer Campaign kick-off will be June 11 and will be in conjunction with the Tour-de-Cure and will be called Bicycle Awareness. June 12 is also the Heritage and Cultural Arts Festival. On the evening of June 11 they will have a bicycling safety and repair program by the Utah Department of Transportation. An Intermountain Health Care professional trainer will talk about how cycling will benefit a person's health. There will be a merit badge and belt loop for the Boy Scouts and Cub Scouts.

In addition, they will put articles in the newspaper and put up signs.

Training - Mr. Leavitt said they will begin training with City and County employees. The local schools already provide bicycle training, but they will get involved with that. They will also provide training for recreational bicyclists.

Bike Lanes - The Task Force recommended bike lanes be constructed. They have initially identified about ten miles for the lanes around the City. Along with bike lanes is a requirement to periodically sweep the lanes. He indicated on a map the proposed routes for the lanes. These were chosen by the width of the streets, high traffic avoidance, school access, fewer stop signs, and extend most of the length of the City.

Councilmember Jensen asked what the costs would be to do the bike lanes. Mr. Larsen reported that the Street Department is assessing what the costs will be. Striping will be the main cost, along with signage.

Councilmember Marabella recommended that the Task Force partner with the City to put on a bicycle event to raise funds to offset the costs of the bike lanes.

MOTION: Councilmember Ericson made a motion to authorize the Task Force to continue moving forward with additional information as far as costs and come back and report to the Council, and moved to support the Tour de Cure. Councilmember Marabella seconded the motion, unanimously carried.

Proclamation Declaring April 30 Arbor Day

Mr. Mike Phillips from the Shade Tree Commission came forward and stated that Brigham City has been a Tree City USA City for 24 straight years. This year they are going to plant trees at Discovery School on April 30 at 10:30.

Mayor Fife read the proclamation declaring April 30, 2010 Arbor Day in Brigham City.

Child Abuse Awareness Month

Ms. Katy Bonds from the Family Support Center approached the Council and stated that since 1985 April has been Child Abuse Prevention Month. In 1989 the Blue Ribbon Campaign began. No child is immune from abuse. In Utah there were over 8,000 victims of substantiated cases of child abuse. Sexual abuse and domestic violence continue to be the top two complaints in Utah as well as Box Elder County. Victims of child abuse are prone to social impairment, emotional impairment and possibly suffer from cognitive impairment. These impairments get worse and manifest in more costly and social and economic problems; including substance abuse; sexual promiscuity, which leads to teen pregnancy and sexually transmitted diseases; mental illness; obesity; incarceration; attempted suicides and further domestic violence and generational child abuse.

Mr. Tom Shaw read the proclamation declaring April as Child Abuse Awareness Month. There will be an open house at the Family Support Center on April 24.

Request to Waive Impact Fees for Maple Springs Development

Mr. Bruce Larsen, representing Maples Springs Development, came forward and stated that due to the current economic conditions, impact fees are a major concern.

There have found that there are 17 people living in Logan or Ogden that are former residents of Brigham City and have moved there because there are not the facilities available here. The benefit to the City would be that

families that have lived in Brigham City all their lives could continue to live here. It would also keep the tax base in Brigham City.

Mr. Larsen said they budgeted \$49,000 to cover fees. He suggested this be used for permit fees and planned check fees and have a gradual payment plan for additional fees, such as \$10,000 a year for the next five years.

Mr. Paul Larsen explained that the Council has the authority to waive impact fees for two reasons. One is that the project will provide low income housing, which this development does not qualify for. The other category is if the development serves a broad public purpose in the community. Another criteria for waiving impact fees is that the Council has to identify where the funding can come from to offset the impact fees. The total impact fees being assessed for the Maple Springs project is \$184,748.88.

Mayor Fife suggested looking at other alternatives, such as a development area. Mr. Paul Larsen said he discussed the possibility of an Economic Development Project Area with Mr. Bruce Larsen, however, this would take too much time. Bruce Larsen stated that they need to have a building permit issued by June 1, 2010 because the State's requirements are changing so they would have to redraft their architecture after that date.

Councilmember Marabella said building costs are down substantially, probably 30-40%. There is a lot of savings by building it now versus two years ago. It will be a building that is profitable. The City has a \$10 million storm drain bond that citizens are paying for. It is difficult to give one development an exception but not the citizens. Bruce Larsen explained that building costs are down, however, lending institutions now require 50% more cash on hand to commence the project.

Councilmember Ericson said he would agree to allow the developer to make payments if the calculated amount of \$184,748.88 remains the same. He felt that lowering the amount is being irresponsible to the citizens of Brigham.

MOTION: Councilmember Marabella made a motion to deny the request to waive impact fees and give staff the authority to work with Maple Springs on a payment plan, not to exceed ten years. Councilmember Christensen seconded the motion, unanimously carried.

NEW BUSINESS

Community and Economic Development Project Report

This was postponed until April 29, 2010.

UNFINISHED BUSINESS

Proposal for Employee Use of City-Owned Facility

Ms. Donna Pett, representing the Employee Coordination Committee (ECC), stated that the ECC came to the Council in December 2009 and requested golf and pool fees be waived for City employees. It was requested at the time that the request go before the Personnel Committee. They recommended the ECC approach the Council again and request a 50% reduction in the cost of swimming pool fees for employees and their families, with families defined as employee, legal spouse, and children 19 and under living in the home. Golf fees would be a 50% discount for the employee only and would be only for golf passes or day use, not for any merchandise or lessons, etc. Employees would be defined as all full-time, part-time and paid-on-call employees.

Ms. Pett explained that this proposal began as a health and wellness benefit for the City's employees. She felt it would also be helpful for morale. With the recent changes in the City, employees are doing more with fewer people. Councilmember Marabella said he did not look at golf or swimming as health and wellness, he looks at it as recreation. He was concerned that the ECC is trying to call it health and wellness when it is really asking the Council to give the employees a discount for something they would enjoy doing. Ms. Pett agreed.

Councilmember Marabella said it is a dangerous situation when City employees are compared with other cities' employees. He felt the City should compare with other businesses, such as Autoliv, Wal-Mart and the hospital. He agreed that other cities have some great benefit programs. City employees get 12 holidays a year, businesses do not. Brigham City's benefit program is significantly better than any other local business, except maybe the hospital. It is widely recognized that a City or County job is the most prestigious job in the community. Mayor Fife agreed that a lot of people apply for City jobs; however, he did not agree it is the most prestigious job in the City. Councilmember Marabella said it is the safest and most long-term employment option. He suggested the City pay 10% of employees' memberships to local health clubs.

Councilmember Marabella was concerned about explaining to the public, who pay property taxes and contribute to the golf course, which does not make a profit, that City employees should get something cheaper than the everyday citizen. Mayor Fife said there are a lot of industries that help their employees and give them benefits. For example, ATK has a Fly Rodders Club and several other clubs which they subsidize. He just attended the ATK Fly Rodders Club Banquet and had a \$20 dinner and won a \$30 prize and it cost him \$10 to join the club. Every year they give out more prizes than what it costs to join the club. They also have clinics and all kinds of things that are free. The Mayor felt that this would be a great benefit which the Council could give to employees for being part of the City, and there would not be a big cost. The golf course agrees with the proposal and feels it will increase play because the employee will bring someone with them. Councilmember Christensen added that when he worked at the bank he could always borrow money cheaper than others, and he had all his accounts service free. He felt it was fair to compare City to City. As Brigham City was compared to other cities similar in size, including health benefits, retirement, etc., he felt offering these discounts were well within those guidelines.

Councilmember Jensen agreed with Councilmember Marabella that the City should be compared to private industry because when employees resign they go to another industry, not another City. Councilmember Ericson said they do that because wages are considerably higher. Councilmember Jensen said she talked to Chris Marx, golf pro, and several citizens, and she got a lot of mixed reactions. She felt the City should be compared to private industry before moving forward. When she saw the employee benefit market study, she realized why government is in the hole - because they pay 100% for family insurance and 100% for dental. When she talked to citizens they questioned why City employees should get a discount when they don't.

Mayor Fife disagreed that City employees are being paid more than private industry. A manager in private industry that supervises 130 people makes a lot more than Brigham City's City Administrator. Councilmember Marabella asked why more employees don't leave. Mayor Fife said employees love the atmosphere, and they've worked for the City for so long that they want to continue to contribute. There is a lot more to a job than salary. There is a pride in doing their job and doing it well, and service. A lot of Brigham City's employees are dedicated to the City because of the time they have spent here. Councilmember Marabella said the single biggest reason employees don't leave to make more money is because of the benefits. Councilmember Vincent added that he is not able to offer anything like the City's benefits to his employees. Councilmember Christensen asked if he worked for Councilmember Vincent and he had a car accident if he would receive a discount to fix his car. Councilmember Vincent agreed that his employees and family receive discounts for car services.

Councilmember Ericson said this benefit will not cost the City much. The City still has to maintain the golf course, regardless of how many people golf. This would increase people at the golf course and swimming pool. The employees would bring someone with them that would increase revenue. Councilmember Marabella agreed it would not cost the City a lot of money, but it is the perception. Ms. Pett said since she has become a City employee, most of the people she knows think she already gets free golf. They think because she works for the City she already has those benefits. She added that when she worked for American Greetings, they had a lot more days off than the City because they got the week off between Christmas and New Years. In addition to that, they received two weeks vacation and other holidays.

MOTION: Councilmember Marabella made a motion to offer City employees a 20% discount at the golf course and swimming pool. The motion was seconded by Councilmember Jensen. Councilmember Ericson felt the employees would be happy with 20%, but he felt it was too low. Councilmember Christensen agreed that 20% was too low. Councilmember Jensen suggested trying 20% for now and revisit it in 6 months to a year. Things are tough

economically right now, so to give a discount to employees and not be able to give anything extra to the citizens who paid for it, does not seem fair. Mayor Fife felt this proposal will increase participation at both the pool and golf course. Councilmember Christensen added that neither place is at capacity, so they can use more participation. The Mayor called for a vote on the motion. Councilmember Marabella and Councilmember Jensen voted in favor of the motion, Councilmember Christensen, Councilmember Ericson and Councilmember Vincent voted nay. The motion failed 2-3.

MOTION: Councilmember Ericson made a motion to accept the proposal from the ECC for a 50% discount for the swimming pool and golf course for City employees. Councilmember Christensen seconded the motion. Councilmember Christensen, Councilmember Ericson and Councilmember Vincent voted in favor of the motion, Councilmember Jensen and Councilmember Marabella voted nay. The motion carried 3-2.

MAKING LIFE BETTER - DEPARTMENT REPORTS

K-9 Officer - Chief Tittensor stated that it is time to retire one of their K-9 Officers, Officer Chewy. Historically, when an animal retires he becomes the personal property of the handler. Chewy has been with the Police Department for eight years. He is having hip problems and has had knee surgery and is ready to retire. The Chief requested authorization to allow the animal to retire and become the personal property of Officer Jim Allen. He also requested permission to purchase another K-9 Officer. Officer Allen purchased another K-9 and has been training him for about a year and has been certified in narcotics detection. It will not cost the City anything. The City will have to sign an agreement to accept the liability, vet bills and feeding. Councilmember Marabella asked if the City should consider reimbursing Officer Allen for the purchase of the dog. Chief Tittensor explained that historically, when an officer brings a pet to the force, there is an agreement between the Police Department and the handler that the dog will go with the handler if they quit or retire. If the City paid for the animal, the dog would have to stay with the department when the handler leaves.

MOTION: Councilmember Marabella motioned to welcome the new K-9 Officer into the Police Force. The motion was seconded by Councilmember Vincent and unanimously carried.

OTHER BUSINESS

The Council tentatively set two budget work sessions for April 29 and May 6 at 5:00 p.m. (*This was later changed to 4:30 p.m.*).

PRESENTATION OF MAYOR'S PROPOSED 2010-11 BUDGET

The following is a summary of the mayor's budget presentation. See attached for a copy of the detailed presentation.

- ◆ The Council should present their budget on May 20.
- ◆ A public hearing will be held on June 3.
- ◆ When Mayor Fife became Mayor, one of his first goals was to reduce the General Fund expenditures by \$1,000,000. The quickest way to do this was to cut staff, which is emotionally very difficult to do. These reductions were completed and a \$365,000 savings was seen in the General Fund and \$405,000 in the Utility Fund. The Golf Course Fund was reduced by \$170,000, but the Golf Pro's contract was increased which results in a net savings of approximately \$40,000.
- ◆ Cemetery fees were increased.
- ◆ Grant requests have increased.
- ◆ The Administration Department has diversified and managed case assets to take advantage of the highest interest rates available.
- ◆ The City is in the process of reviewing all existing contracts for validity. These will be evaluated and re-bid.
- ◆ Travel and training is being closely evaluated for direct City benefit.

- ◆ 25 City cell phones have been eliminated for a savings of \$9,000. Staff will continue to analyze these costs for possible reduction in minutes.
- ◆ A new phone system will be implemented which will take advantage of the fiber-optic system. \$10,000 was previously approved in the current budget. It is anticipated this will be completed by the end of July. This system will provide a much better phone system with redundancy for emergency situations and will save the City \$3,100 a month. A FEMA grant was received for \$30,000. There is \$37,000 in the proposed budget.
- ◆ Purchases have been consolidated to provide competitive pricing.
- ◆ The State is introducing Purchase Cards (P-Cards) that will allow credit cards to be given to specific employees but limits their purchasing power. This should improve the City's accounts payable system.
- ◆ Some programs have been eliminated from the budget; 1) hanging flower baskets on Main Street, which are high maintenance and have to be watered twice a day; 2) The Making Life Better Day will be held on alternating years; 3) Banners in the downtown area will be consolidated to specific seasons so multiple banners will be displayed at one time which will save on labor; 4) a winter schedule will be incorporated at the West Forest Street Green Waste Facility which will allow the employee to help other departments.
- ◆ A new City Hall will be deferred for the foreseeable future.
- ◆ The HVAC units at City Hall need to be replaced but it will cost \$250,000. This has been deferred, but the City has applied for a grant to seismically upgrade the building, which will include the cost to replace the units.
- ◆ Employee Benefits
 - There will be no merit increase this year. The Mayor asked employees to stay the course and remain at the City for a brighter economic future.
 - Health insurance premiums will increase by at least 15% next January.
 - Staff reductions have created a savings of \$10,000 in the Workers Compensation Fund.
 - Further savings are being looked at in the short-term disability program.
 - Retirement payments increased 2% for Public Safety and 1.5% for non-contributory.
- ◆ The Fleet Replacement Programs will be the responsibility of Ben Boyce, Director of Leisure Services. The Director of Public Works will be responsible for managing Fleet Maintenance repairs. The overall program will be managed by a committee comprised of the Directors of Leisure Services, Finance, Public Works and the City Administrator. The overall goal is to manage the Fleet Fund Balance at or near \$500,000.
- ◆ Fleet Purchases - The largest purchase in the budget is a vacuum sewer cleaning truck. For over 15 years the City has contracted with a private company to annually clean one-fourth of the sanitary sewer collection system. By purchasing this equipment the City will save approximately \$50,000 a year in expenses with no projected increase in personnel costs. It can also be used to clean the storm sewer collections system.
- ◆ There is no utility rate increase proposed in the budget. However, the City hired a consultant to review the current electric rate structure. The proposed rate schedule will divide customers' energy use into winter, summer and on and off peak usage.
- ◆ Brigham City is currently charging a 2.25% Municipal Energy Tax (MET). Most cities MET rates are 6%. He recommended rate stay at 2.25%.
- ◆ Utility Rates - in the last two years Rocky Mountain Power has increased their rates 25.44% and Western Area Power Company has increased 16.21%. However, Brigham City's pass-through is not equivalent and has been less than those percentages. Brigham City's overall rate increases have been 16.87%. The City just received an increase from RMP of 2.2% which equates to 1.6%. There will be another 5% increase in June, which equates to 3.65%. He recommended not passing these through to the customers.
- ◆ Capital Improvement Projects - There was \$13.3 million in capital projects requested from department. He proposed \$2.6 million worth of capital projects that can be funded internally.
 - The most costly project is the cost to complete the automated meter reading (AMR) system for electric and implement AMRs for water. This will increase revenue by 12.5%. This project will cost approximately \$1.4 million.
 - Expand the Electrical Service Center Building at the mouth of Box Elder Canyon for \$250,000. This will provide needed office space for staff as well as state of the art control rooms.
 - The culinary water loop line was not included in the proposed 2010-11 budget because of limited funding. It is estimated this would cost \$1.6 million. This would provide continued service to industrial users when repairs and maintenance are needed on the current system. It would also provide water infrastructure for future development on the south side of Forest Street. However, the Mayor

requested the Council consider issuing a revenue bond funding the water line as well as the AMR project.

- ◆ Emergency Funds - There is \$50,000 in the proposed budget for the Electrical Emergency Fund Balance and Disaster Fund.
- ◆ UTOPIA - Last January UTOPIA began drawing funds from the City's Sales Tax Pledges of \$389,000 per year. This is being drawn in monthly increments. The City is obligated to replenish these funds, so there is \$202,618 in the budget to refund the pledge. Just recently, the Mayor received a new request from UTOPIA for additional funding to help with their operations, future construction and legal fees to support litigation against the federal government. The Council will need to decide the merits of this request. If they agree to support it, this will have to be added to the budget. It is not included in the proposed budget. Brigham City has already committed more than any of the other UTOPIA cities. The Mayor recommended presenting an argument to the UTOPIA Executive Board that Brigham City is in full support of UTOPIA by completing the current build out in Brigham City and should not have to provide any further financing.
- ◆ It is predicted there will be a 7.4% decrease in sales tax.
- ◆ General Fund Revenue is proposed to decrease 3% over last year's budget. The proposed General Fund Budget for 2010-11 is just under \$11 million.
- ◆ Proposed utility fund transfers to the General Fund is 9.15% or \$1.47 million. This is 39% less than last year's transfer.

Mayor Fife stated that supervisors were asked again to submit a flat budget. Some requests still exceeded projected revenues, so additional cuts were requested. He expressed appreciation to every supervisor for their support. This budget was balanced because of their commitments.

Total expenditures for this year's budget are \$36 million which is a 3% decrease over last year's expenditures of \$37 million.

A motion to adjourn was made by Councilmember Marabella. The motion was seconded and carried unanimously. The meeting adjourned at 9:20 p.m.